

ARTICLE APPEARED
ON PAGE 5

EDITOR & PUBLISHER
19 DECEMBER 1981

Letters

CIA BILL

A. M. Rosenthal, managing editor of the *New York Times*, is quoted in EDITOR & PUBLISHER of November 21 as telling a Colby College audience that if proposed legislation to prevent public disclosure of the identities of undercover intelligence personnel had been passed into the law the *Times* investigation of alleged illegal arms deals by two former CIA employees "would have been impossible."

Rosenthal might have spared himself and his audience some anguish if he had read the bills in question. They apply only in cases where there is "a pattern of activities intended to identify and expose covert agents" and where the defendant "has reason to believe" or "intends" that his action will "impair or impede the foreign intelligence activities of the United States."

Does Rosenthal really mean to tell us that, by its investigation of the activities of the former CIA employees, the *Times* intended to "impair or impede" our intelligence operations? If so, we are indebted to him for an interesting disclosure. If not, he has no reason to fear that the passage of the legislation in question might hamper the work of his reporters.

Rosenthal is further quoted as stating that *Times* general council Katherine Darrow has found the legislation in question "clearly unconstitutional." In fact, the Department of Justice and three committees of the Congress have judged otherwise, and last June the Supreme Court stated that disclosure of the identities of intelligence personnel by former CIA officer Philip Agee was "clearly not protected by the Constitution."

Rosenthal is also reported to have made the unsubstantiated charge that

"there is every reason to suspect that people now in CIA had knowledge of the whole sickening betrayal of American interests." This is a serious allegation concerning a case which has been the subject of a Federal Grand Jury investigation. It involves not only the possible guilt of people now on the Federal payroll but, more importantly, the credibility and integrity of an agency vital to the national security.

The exposure of mischief in the bureaucracy is a respected responsibility of the press, and one which the *Times* has occasionally discharged with distinction. But some of us well recall the damage done a generation ago to the morale and effectiveness of the State Department by Joseph McCarthy's unsupported allegations regarding that institution. When Rosenthal makes comparable charges regarding the CIA let him document them—or at least share his evidence with some of his celebrated investigative reporters, none of whom has thus far produced credible evidence in support of his contentions.

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